

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DAEVIER KELLOGG,

Petitioner,

vs.

SCOTT FRAKES, Director of Nebraska
Department of Correctional Services; and
MICHELE WILHELM, Warden of the
Nebraska State Penitentiary;

Respondents.

4:22CV3202

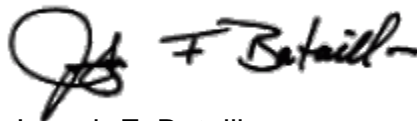
MEMORANDUM AND ORDER

Petitioner filed a Petition for Writ of Habeas Corpus, [Filing No. 1](#), and a Motion for Leave to Proceed in Forma Pauperis, [Filing No. 4](#). Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 filing fee. [28 U.S.C. § 1914\(a\)](#). However, after considering Petitioner's financial status as shown in the records of this Court (see inmate trust account statement at [Filing No. 6](#)), leave to proceed in forma pauperis will be granted and Petitioner is relieved from paying the filing fee. See [28 U.S.C. § 1915\(a\)\(1\)](#).

IT IS THEREFORE ORDERED that: Petitioner's Motion for Leave to Proceed in Forma Pauperis, [Filing No. 4](#), is granted. The next step in this case is for the Court to conduct a preliminary review of the habeas corpus petition in accordance with Rule 4 of the Rules Governing Section 2254 cases. The Court will conduct this review in its normal course of business.

Dated this 25th day of October, 2022.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon". The signature is stylized with a large, circular initial "J" and a long horizontal stroke at the end.

Joseph F. Bataillon
Senior United States District Judge